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*Attorney for Defendant JONATHAN ULIBARRI*

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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,  
Plaintiff,  
vs.  
JONATHAN ULIBARRI,  
Defendant.

Case No. **2:18-cr-00007-RFB-VCF**

**STIPULATION TO CONTINUE  
HEARING DATE**  
(Third Request)

**IT IS HEREBY STIPULATED AND AGREED**, by and between DAYLE ELIESON, United States Attorney, and DANIEL J COWHIG, Assistant United States Attorney, counsel for Plaintiff the United States of America, and MICHAEL R. PANDULLO, ESQ., counsel for Defendant JONATHAN ULIBARRI, that the sentencing currently scheduled for December 13, 2018, at the hour of 10:00 a.m., be vacated and reset to a date and time convenient to this Court, but in no case any sooner than Thirty (30 days).

This Stipulation is entered into for the following reasons:

1. Council for the defendant cannot be present due to a scheduling conflict.
2. Counsel has spoken to Assistant United States Attorney Daniel Cowhig and he has no opposition to the continuance.

- 1           3. The additional time requested herein is not sought for purposes of delay, but merely  
2           to allow counsel for Defendant sufficient time within which to effectively and  
3           thoroughly prepare for the sentencing hearing.  
4           4. Additionally, denial of this request could result in a miscarriage of justice.  
5           5. This is the third request to continue this sentencing hearing.

6

7           DATED this 12th day of December, 2018.

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9 BY:

10           MICHAEL R. PANDULLO, Esq.

11           /s/ Michael R. Pandullo

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13           MICHAEL R. PANDULLO, Esq.  
14           *Attorney for Defendant JONATHAN*  
15           *ULIBARRI*

16           DAYLE ELIESON  
17           UNITED STATES ATTORNEY

18           DANIEL J, COWHIG  
19           ASSISTANT UNITED STATES ATTORNEY

20           /s/ Daniel J. Cowhig

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22           DANIEL J COWHIG  
23           *Attorney for the United States*

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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

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8 UNITED STATES OF AMERICA,  
9 Plaintiff,  
10 vs.  
11 JONATHAN ULIBARRI,  
12 Defendant.

Case No. **2:18-cr-00007-RFB-VCF**

**FINDINGS OF FACT,  
CONCLUSIONS OF LAW  
AND ORDER**

(Third Request)

13  
14 **FINDINGS OF FACT**

15 Based on the pending Stipulation of counsel, and good cause appearing therefore, the  
16 Court finds that:

- 17 1. Defendant does not object to this continuance.
- 18 2. Counsel has spoken to Assistant United States Attorney Daniel Cowhig and he has  
19 no opposition to the continuance.
- 20 3. The additional time requested herein is not sought for purposes of delay, but merely  
21 to allow counsel for Defendant sufficient time within which to effectively and  
22 thoroughly prepare for the sentencing hearing.
- 23 4. Additionally, denial of this request could result in a miscarriage of justice.
- 24 5. This is the third request to continue this sentencing hearing.

1                   **CONCLUSIONS OF LAW**

2         The ends of justice served by granting said continuance outweigh the best interest of the  
3         public and the defendant in a speedy trial, since the failure to grant said continuance would be  
4         likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the  
5         opportunity within which to be able to effectively and thoroughly prepare for trial taking into  
6         account the exercise of due diligence.

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## **ORDER**

**IT IS HEREBY ORDERED** that sentencing currently scheduled for December 13, 2018, at the hour of 10:00 a.m., be vacated and continued to the 18th day of January, 2019, at the hour of 10:00 a.m./p.m. in Courtroom 7C.

DATED this 13th day of December, 2018.

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RICHARD F. BOULWARE, II  
UNITED STATES DISTRICT JUDGE

Submitted by:

/s/ Michael R. Pandullo

MICHAEL R. PANDULLO, ESQ.  
*Attorney for Defendant JONATHAN ULIBARRI*